JUDGE THOMAS S. ZILLY 1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT WESTERN DISTRICT OF WASHINGTON AT SEATTLE 8 THE HIGHLANDS NORTH CONDOMINIUM ASSOCIATION, a Washington non-profit corporation, NO. 2:18-cy-01506-TSZ 10 Plaintiff, 11 NOTICE OF DISMISSAL OF STATE FARM FIRE AND CASUALTY COMPANY V. 12 WITHOUT PREJUDICE AND WITHOUT **COSTS** ALLSTATE INSURANCE COMPANY, an 13 Illinois company; AMERICAN CASUALTY COMPANY OF READING, PA, a Pennsylvania company; AMERICAN GUARANTEE AND 15 | LIABILITY INSURANCE COMPANY, an Illinois company; SAFECO INSURANCE 16 COMPANY OF AMERICA, a New Hampshire company; STATE FARM FIRE AND 17 CASUALTY COMPANY, an Illinois company; and DOE INSURANCE COMPANIES 1-10. 18 19 Defendants. 20 Pursuant to FRCP 41(a), Plaintiff Highlands North Condominium Association (the "Association") hereby dismisses its claim against Defendant State Farm Fire & Casualty Company ("State Farm") without prejudice and without costs. State Farm has not served either an answer or a 23 motion for summary judgment, and FRCP Rules 23(e), 23.1(c), 23.2 and 66 do not apply to this action. Accordingly, the Association may dismiss its claim against State Farm without a court order pursuant to FRCP 41(a). 25 /// 26 27

NOTICE OF DISMISSAL OF STATE FARM FIRE AND CASUALTY COMPANY WITHOUT PREJUDICE AND WITHOUT COSTS (NO. 2:18-cv-01506-TSZ) - 1

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RESPECTFULLY SUBMITTED THIS 16<sup>th</sup> day of January, 2019. 1 2 3 4 /s/ Daniel Stein 5 Seattle, WA 98121 6 7 Facsimile: (206) 286-2660 8 9 10 11 12

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NOTICE OF DISMISSAL OF STATE FARM FIRE AND CASUALTY COMPANY WITHOUT PREJUDICE AND WITHOUT COSTS (NO. 2:18cv-01506-TSZ) - 2

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## **CERTIFICATE OF SERVICE** 1 I hereby certify that on January 16, 2019, a copy of the foregoing *Document* and this 2 *Certificate of Service* were served on counsel below as noted: 3 Attorneys for Defendant Safeco Insurance ☐ via US Mail Company of America: □ via Legal Messenger 5 Michael McCormack, WSBA No. 15006 □ via Overnight Mail Bullivant Houser Bailey PC 1700 Seventh Avenue, Suite 1810 Seattle, WA 98101-1397 Phone: (206) 292-8930 Email: Michael.mccormack@bullivant.com 8 I declare under penalty of perjury under the laws of the United States that the 9 foregoing is true and correct. 10 SIGNED this 16<sup>th</sup> day of January, 2019, at Seattle, Washington. 11 s/Kirsten Young 12 Kirsten Young, Paralegal 2701 First Avenue, Suite 430 13 Seattle, WA 98121 Email: kirsten@condodefects.com 14 Phone: (206) 388-0660 15 16 17 18 19 20 21 22 23 24 25 26 27 STEIN, SUDWEEKS & STEIN, PLLC